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06/26/2013	Hearing Scheduled Scheduled For: 07/24/2013; 9:00 AM ; BRENDA STITH LOFTIN; St Louis County Hearing Continued/Rescheduled Hearing Continued From: 06/26/2013; 9:00 AM Hearing
06/12/2013	Corporation Served Document ID - 13-ADSM-14501; Served To - I C SYSTEM INC; Server - ; Served Date - 10-JUN-13; Served Time - 16:28:14; Service Type - Special Process Server; Reason Description - Served
05/29/2013	Summons Issued-Associate Document ID: 13-ADSM-14501, for I C SYSTEM INC. Hearing Scheduled Associated Entries: 06/26/2013 - Hearing Continued/Rescheduled Scheduled For: 06/26/2013; 9:00 AM ; BRENDA STITH LOFTIN; St Louis County
05/15/2013	Confid Filing Info Sheet Filed 33W Pet Filed in Associate Ct Summ Req-Assc Pers Serv Request for Appointment of Special Process Server Filed. Judge Assigned

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Released 12/14/2012




IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BRENDA STITH LOFTIN	Case Number: 13SL-AC16582
Plaintiff/Petitioner: ADRIAN HUDSON JR	Plaintiff's/Petitioner's Attorney/Address: DOMINIC M. PONTELLO PONTELLO LAW, LLC SUITE 112 5988 MIDRIVERS MALL DRIVE ST. CHARLES, MO 63304 (636) 541-7673
Defendant/Respondent: I C SYSTEM INC	Date, Time and Location of Court Appearance: 26-JUN-2013, 09:00 AM DIVISION 33W ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: AC Other Tort	

(Date File Stamp)

Associate Division Summons

The State of Missouri to: I C SYSTEM INC
Alias:
120 SOUTH CENTRAL AVE
CT CORPORATION SYSTEM
CLAYTON, MO 63105

COURT SEAL OF

 ST. LOUIS COUNTY

You are summoned to appear before this court on the date, time, and location above to answer the attached petition. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. You may be permitted to file certain responsive pleadings, pursuant to Chapter 517 RSMo. Should you have any questions regarding responsive pleadings in this case, you should consult an attorney.

If you have a disability requiring special assistance for your court appearance, please contact the court at least 48 hours in advance of scheduled hearing.

_____ 5-28-13 _____
Date Clerk

Further Information: AMH

Sheriff's or Server's Return

Note to serving officer: Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).
My commission expires: _____ (date) _____ Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$ _____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT
SAINT LOUIS COUNTY
STATE OF MISSOURI
ASSOCIATE DIVISION

ADRIAN HUDSON JR.

Plaintiff,

v.

I.C. SYSTEM, INC.

Serve at:

C T Corporation System
120 South Central Avenue
Clayton, MO 63105

Defendant.

Cause No.

Division

JURY TRIAL DEMANDED

PETITION

COMES NOW, Plaintiff, Adrian Hudson, and for his Petition states as follows:

INTRODUCTION

1. This is an action for statutory damages brought by an individual consumer for violations of the Fair Debt Collections Practices Act, 15 USC 1692 *et. Seq.* ("FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

2. Plaintiff demands a trial by jury on all issues so triable.

JURISDICTION

3. This Court has jurisdiction of the FDCPA claim under 15 USC 1692k (d) because the illicit collection activity was directed at Plaintiff in St. Louis County, Missouri.

PARTIES

4. Plaintiff is a natural person currently residing in St. Louis County, Missouri. Plaintiff is a "consumer" within the meaning of the FDCPA. The alleged debt Plaintiff owes arises out of consumer, family, and household transactions.

5. Specifically, Plaintiff believes the alleged debt arose from a cell phone bill with AT & T.

6. Defendant is a foreign corporation with its principal place of business in St. Paul, Minnesota. The principal business purpose of Defendant is the collection of debts in Missouri and nationwide, and Defendant regularly attempts to collect debts alleged to be due another.

7. Defendant is engaged in the collection of debts from consumers using the mail and telephone. Defendant is a "debt collector" as defined by the FDCPA. 15 U.S.C. §1692a (6).

FACTS

8. Defendant's collection activity of which Plaintiff complains occurred within the previous twelve (12) months.

9. Defendant's collection activity consisted of a letter and a phone conversation with Plaintiff.

10. On or about April 13, 2013, Defendant sent Plaintiff its initial written communication.

11. Plaintiff received Defendant's letter a few days after its stated date.

12. In its April 13 letter, Defendant made the disclosures required by 15 U.S.C. §1692g, including that Plaintiff had the right to dispute the debt and obtain validation and verification thereof.

13. Plaintiff called Defendant on or about May 9, 2013 intending to exercise his above-mentioned rights and to learn more about Defendant's collection activity.

14. The May 9th call ("the call") occurred within the thirty (30) day dispute period provided by 15 U.S.C. §1692g.

15. During the call, Plaintiff asked Defendant for validation of the alleged debt.

16. Defendant refused to send Plaintiff validation. Defendant stated that it had already provided validation in its April 13 letter.

17. This statement was false and misleading. Defendant's April 13 communication was merely a dunning letter and did not provide validation of the debt.

18. Also during the call, Defendant made payment demands to Plaintiff.

19. Defendant's refusal to validate Plaintiff's debt and its payment demands overshadowed and were inconsistent with Plaintiff's rights pursuant to 15 U.S.C. §1692g.

20. Defendant's conduct caused Plaintiff to believe that he could not dispute the debt or obtain validation or verification thereof, or that any exercise of his rights under §1692g would not be honored.

21. Defendant's conduct caused Plaintiff to believe that he must give up his rights and pay the alleged debt with the statutory dispute period.

22. Plaintiff never entered into any agreement whereby he consented to arbitrate disputes between himself and Defendant.

23. Defendant's collection attempts have caused Plaintiff to incur actual damages including but not limited to anxiety, sleeplessness, and worry.

COUNT I: VIOLATION OF THE FDCPA

24. Plaintiff re-alleges and incorporates by reference all of the above paragraphs.

25. In its attempts to collect the alleged debt from Plaintiff, Defendant has committed violations of the FDCPA, 15 U.S.C. 1692 et. seq., including, but not limited to, the following:

a. Engaging in collection activity which overshadowed and was inconsistent with Plaintiff's dispute, validation, and verification rights. 15 U.S.C. §1692g.

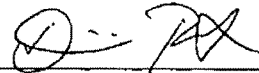
b. Engaging in false, misleading, and unfair conduct in an attempt to collect a debt. 15 U.S.C. §1692d-f.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for:

- A. Judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages;
- C. Release of the alleged debt;
- D. Statutory damages, costs and reasonable attorney's fees pursuant to 15 U.S.C. 1692(k); and
- E. For such other relief as the Court may deem just and proper.

Respectfully submitted by,

Pontello Law, LLC



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